

SECOND REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 2047

91ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES RANSDALL, REYNOLDS, BOUCHER, SELBY, ROSS,
HAMPTON AND GASKILL (Co-sponsors).

Read 1st time February 26, 2002, and 1000 copies ordered printed.

Read 2nd time February 27, 2002, and referred to the Committee on Education - Higher, March 7, 2002.

Reported from the Committee on Education - Higher March 13, 2002, with recommendation that the bill Do Pass by Consent.

Perfectured by Consent March 20, 2002.

TED WEDEL, Chief Clerk

4912L.01P

AN ACT

To repeal section 41.948, RSMo, and to enact in lieu thereof one new section relating to public higher education students called to active military service.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 41.948, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 41.948, to read as follows:

41.948. 1. In the 1990-91 academic year and in any subsequent academic year, when any person who is enrolled as a student in a public higher education institution in Missouri is called **in service of the United States under 32 U.S.C. 502(f)(i), under section 41.470 or 41.480 or**, under the authority of 10 U.S.C. 672(d) or 10 U.S.C. 673b or any such subsequent call or order by the President or the Congress, to active service in the armed forces of the United States, whether voluntarily or involuntarily, not including active service for training, prior to the completion of the semester, or similar grading period, that person shall be eligible for either:

(1) A complete refund of all tuition and incidental fees charged for enrollment at that institution for that semester, or similar grading period; or

(2) The awarding of a grade of "incomplete" pursuant to this section.

2. If such person has been awarded a scholarship to be used to pursue an academic program in any public higher education institution in Missouri and such person is unable to complete the academic term for which the scholarship is granted, that person shall be awarded that scholarship at any subsequent academic term, provided that the person returns to the

15 academic program at the same institution at the beginning of the next academic term after the
16 completion of active military service.

17 3. If the person chooses the option described in subdivision (1) of subsection 1 of this
18 section, he may request that the official transcript indicate the courses from which he has
19 withdrawn and the reason for the withdrawal, or he may request that all course titles be expunged
20 from his record. Choosing the option of a refund shall not affect the person's official academic
21 record or standing at the public higher education institution.

22 4. If the person chooses the option described in subdivision (2) of subsection 1 of this
23 section, he shall complete the course work to the satisfaction of the course instructor and the
24 institution. The grade of incomplete shall be converted to a failing grade if the person does not
25 apply to complete the course work within six months of discharge or release from active military
26 service. In the event the person cannot comply for medical reasons related to the active military
27 service, he shall apply to complete the course work within three months of the end of the period
28 of convalescence. Choosing the option of taking a grade of incomplete shall not affect the
29 person's official academic record or standing at the public institution of higher education, unless
30 the person fails to complete the course work. At the time the grade of incomplete is converted
31 to a final grade, the person may choose either to have the grade of incomplete expunged from
32 his official record or to have the grade of incomplete remain with the final grade and the reason
33 for the grade of incomplete.

34 5. The coordinating board for higher education shall promulgate rules for the
35 implementation of this section. For the purposes of this section, the term "public higher
36 education institution" shall include public community colleges and state-supported institutions
37 of higher education.

38 6. Notwithstanding any other provisions of this section to the contrary, nothing in this
39 section shall be construed to prevent the governing body of any public higher education
40 institution from enacting an academic policy more lenient in nature than the provisions of
41 subsections 1 to 4 of this section.

42 7. No rule or portion of a rule promulgated under the authority of this section shall
43 become effective unless it has been promulgated pursuant to the provisions of section 536.024,
44 RSMo.